



Practitioner's Pocket No. 67183/04-006

*IPW*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Nicholas A. KOTOV  
Application No.: 10/774,332  
Confirmation No.: 5274  
Filed: 02/06/2004  
For: Bioconjugates of nanoparticles as radiopharmaceuticals  
Group No.: 1617  
Examiner: Unknown

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. 1.97(b))**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. Timing of Statement (with any required certifications)
2. Preliminary Statements
3. Forms PTO-1449 (Modified)

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 2, 2004

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☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_-\_\_\_\_.

*Luiz C. Lopez*  
\_\_\_\_\_  
Signature

LUZ C. LOPEZ  
(type or print name of person certifying)

(Transmittal of Information Disclosure Statement  
Within Three Months of Filing or Before Mailing of First Office Action—page 1 of 3)

4. Comments on References
5. Identification of Person(s) Making This Information Disclosure Statement

#### **Section 1. Timing of Statement (with any required certifications)**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

#### **Section 2. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

#### **Section 3. Form PTO-1449 (Modified)**

Attached.

#### **Section 4. Comments on References**

None.

#### **Section 5. Identification of Person Making This Information Disclosure Statement**

The person making this certification is:

- a. the practitioner who signs below on the basis of the information in the practitioner's file.

No additional fee is believed to be due. However, if any fee is made payable by the filing of this paper, please consider this our authorization to charge the deposit account of the undersigned, Deposit Account No. 06-0540.

Respectfully submitted,



**SIGNATURE OF PRACTITIONER**

12/2/04  
**DATE**

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PATENT  
 Attorney Docket No.: 67183/04-006  
 FORM 1449  
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<b>FORM PTO-1449 (Modified)</b>  <b>INFORMATION DISCLOSURE          STATEMENT</b>  (Use several sheets if necessary)	Attorney Docket No.: 67183/04-006	
	Applicant(s): Nicholas A. KOTOV	
	Title: Bioconjugates of nanoparticles as radiopharmaceuticals	
	Serial No.: 10/774,332	Filing Date: 02/06/2004
	Group: 1617	Examiner: Unknown

### U.S. PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	Subclass
	AA	6,689,338	02/10/2004	Kotov	424	1.69
	AB	6,495,324	12/17/2002	Mirkin et al.	435	6
	AC	6,361,944	03/26/2002	Mirkin et al.	435	6
	AD	6,350,515	02/26/2002	Lawton et al.	428	323
	AE	6,333,110	12/25/2001	Barbera-Guillem	428	402.24
	AF	6,274,323	08/14/2001	Bruchez et al.	435	6
	AG	6,261,779	07/17/2001	Barbera-Guillem et al.	435	6
	AH	6,235,540	05/22/2001	Siiman et al.	436	518
	AI	6,207,392	03/27/2001	Weiss et al.	435	7.1
	AJ	6,114,038	09/05/2000	Castro et al.	428	402.24
	AK	6,048,515	04/11/2000	Kresse et al.	424	9.322
	AL	5,990,479	11/23/1999	Weiss et al.	250	307
	AM	5,427,767	06/27/1995	Kresse et al.	424	9.32

### FOREIGN PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name (Inventors)	Class	<u>Translation</u> Yes / No
	AN	WO 01/33223 A1	10 May 2001	Elais-Sari et al.	G01N 33/543	No
	AO	WO 01/19405 A2	22 March 2001	Bahr et al.	A61K 47/48	No
	AP	WO 01/091808 A3	6 December 2001	Kotov	A61K 51/12	
	AQ	WO 00/17656 A1	30 March 2000	Bawendi et al.	G01N 33/58	
	AR	WO 00/17655 A1	30 March 2000	Bawendi et al.	G01N 33/58	
	AS	WO 00/17642 A2 & A3	30 March 2000	Bawendi et al.	G01N 33/53	
	AT	WO 00/17103 A2 & A3	30 March 2000	Bawendi et al.	C01B 33/00	
	AU	WO 96/04017	15 February 1996	Kresse et al.	A61K 49/00	No
	AV	EP 0 516 252 A2	13 April 1992	Kresse et al.	A61K 49/00	No

### OTHER ART

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AW	PCT International Preliminary Examination Report for PCT/US01/17658, 13 May 2003.

Examiner Initial		(Including Author, Title, Date, Pertinent Pages, Etc.)
	AX	XP-002908597: Shiju, Hiroshi et al. Development of a cancer vaccine: peptides, proteins, and DNA. <i>Cancer Chemother Pharmacol.</i> 46 (Suppl), pp. S77-S82, 2000.
	AY	XP-001006052: Schaertl, Sabine et al. A Novel and Robust Homogeneous Fluorescence-Based Assay Using Nanoparticles for Pharmaceutical Screening and Diagnostics. <i>Journal of Biomolecular Screening.</i> Vol. 5, No. 4, pp. 227-237, 2000.
	AZ	Tiefenauer et al. "Antibody-magnetite nanoparticles: In vitro characterization of a potential tumor specific contrast agent for MRI". <i>Bioconjugate Chem.</i> (1993), 4(5), 347-52.

EXAMINER	DATE CONSIDERED

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance. Include copy of this form with next communication to applicant.